

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	No. 4:17 CR 169 JAR
)	
RYAN M. END,)	
)	
Defendant.)	

MOTION FOR ADDITIONAL TIME TO DETERMINE RESTITUTION

COMES NOW the United States of America, by and through the Acting United States Attorney for the Eastern District of Missouri, Carrie Costantin, and Robert F. Livergood, Assistant United States Attorney for said district, and files its motion requesting additional time to determine restitution for the following reasons:

1. Defendant was charged with a child pornography offense and has since pleaded guilty.
2. It is anticipated that defendant will be sentenced on September 29, 2017.
3. The child pornography images identified during the investigation of this case were sent to the Center for Missing and Exploited Children (NCMEC) to determine if any of the victims have previously been identified.
4. NCMEC reported that several of the images have been previously identified. As result of being identified, the victims that requested to be notified of these proceedings have been contacted.
5. Of those victims notified, fourteen victims from six series of identified images have requested restitution in this matter.
6. The United States and defendant have attempted to resolve the matter of restitution.
7. Defendant made an offer of restitution, which has been relayed to the victims. Several of the victims have rejected the defendant's offer.
8. The below signed has put the victims' attorneys and the defendants' attorneys in contact with each other in attempt to resolve the matter.
9. As of today's date, there has been no indication that the restitution issue has been resolved.
10. Pursuant to 18 U.S.C. § 3664(d)(5), if the victims' "losses are not ascertainable by the date that is 10 days prior to sentencing, the attorney for the Government . . . shall so inform the court, and the court shall set a date for the final determination of the victim's losses, not to exceed 90 days after sentencing." *See also Manrique v. United States*, 137 S.Ct. 1266, 1270 (2017) ("But consistent with the MVRA [(Mandatory Victims Restitution

Act of 1996)], the court postponed determining the victims' damages, which had not yet been ascertained."').

11. The Government, accordingly, is notifying the Court that the restitution issue is still undermined. The Government requests that Court set a date for the final determination restitution that is at least sixty days from the date of sentencing, but no more than ninety days from the date of sentencing.

For all these reasons, the Government request that the Court set a final date for the determination of restitution in sixty days from the date of sentencing.

Respectfully submitted:

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Acting United States Attorney

s/Robert F. Livergood
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CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2017, a true and correct copy of the foregoing was filed electronically with the Clerk of the Court to be served by operation of the Court's electronic filing system upon:

Lenny Kagan
and
Jim McMullin,
both attorneys for defendant.

s/ Robert F. Livergood
ROBERT F. LIVERGOOD, 35432MO
Assistant United States Attorney